

1 THE HONORABLE KYMBERLY K. EVANSON  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 JAVIER TAPIA,

11 Plaintiff,

12 v.

13 NAPHCARE, INC., an Alabama Corporation;  
14 PIERCE COUNTY, a political subdivision of  
the State of Washington,

15 Defendants.

16 No. 2:22-cv-01141-KKE

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18 **STIPULATION AND ORDER  
REGARDING SUPERSEDEAS  
BOND AMOUNT**

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20 **STIPULATION**

21 Plaintiff Javier Tapia and Defendant NaphCare, Inc., through their undersigned counsel, hereby  
22 agree and stipulate as follows.

- 23 1. On April 4, 2025, the jury returned a verdict for \$25,000,000 in favor of Plaintiff against  
24 Defendant NaphCare (Dkt. No. 293).  
25 2. On April 9, 2025, judgment in favor of Plaintiff and against Defendant NaphCare was  
entered for \$25,000,000 (Dkt. No. 295).

26 STIPULATION AND ORDER REGARDING  
SUPERSEDEAS BOND AMOUNT – 1

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3. Pursuant to Fed. R. Civ. P. 62(a), execution on the judgment and proceedings to enforce it are stayed.
  4. Fed. R. Civ. P. 62(b) provides for a stay of execution of a judgment by bond: “At any time after judgment is entered, a party may obtain a stay by providing a bond or other security. The stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security.”
  5. The parties agree that NaphCare will post a supersedeas bond of \$28,500,000.
  6. The \$28,500,000 is inclusive of the damages awarded, anticipated trial court fees for Plaintiff’s counsel, interest for eighteen months, and the anticipated fees of Plaintiff’s counsel on appeal.<sup>1</sup>
  7. Posting of the supersedeas bond will secure satisfaction of the judgment and stay any proceedings to execute on the judgment until all post-trial motions and appellate proceedings have been completed.

ACCORDINGLY, the parties hereby agree and stipulate that the stay of execution on the judgment and proceedings to enforce it should extend until the completion of all post-trial motions and appellate proceedings. The parties request that the Court enter the order below.

DATED: April 17, 2022

s/ David A. Perez

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<sup>1</sup> By posting a bond in this amount NaphCare does not concede that Plaintiff is entitled to attorney fees either at trial or on appeal. The issue of attorney fees remains undecided.

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## ORDER

THIS MATTER came before the Court on the foregoing stipulation of the parties. Having considered the parties' Motion, the Court hereby GRANTS the motion. NaphCare is ordered to enter a \$28,500,000 supersedeas bond within 30 days of entry of this order to stay the execution of judgment. The posting of the supersedeas bond stays execution of the judgment until all post-trial motions and appellate proceedings are completed.

## **IT IS SO ORDERED**

Dated this 18th day of April, 2025

Kimberly K. Hanson

HONORABLE KYMBERLY K. EVANSON  
UNITED STATES DISTRICT JUDGE

*s/ David A. Perez*

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**STIPULATION AND ORDER REGARDING  
SUPERSEDEAS BOND AMOUNT – 4**

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STIPULATION AND ORDER REGARDING  
SUPERSEDEAS BOND AMOUNT – 5

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